

# September 7, 2000: "State Department Annual Report on International Religious Freedom for 2000."

Presented by Firuz Kazemzadeh, Vice-Chairman

U.S. Commission on International Religious Freedom  
House International Relations Committee Subcommittee on International  
Operations and Human Rights

September 7, 2000

Three Commissioners  
during their testimony before the senate (left to right): The  
Hon. John R. Bolton, Vice Chairman Dr. Firuz Kazemzadeh, and  
Dean Michael K. Young.

Three Commissioners  
during their testimony before the senate (left to right): former  
Ambassador-at-Large International Religious Freedom and ex  
officio member of the commission, Robert A. Seiple, and Vice  
Chairman Dr. Firuz Kazemzadeh.

## Introduction

Thank you and good afternoon, Mr. Chairman and members of the Subcommittee. My name is Firuz Kazemzadeh and I am honored to serve as Vice-Chairman of the U.S. Commission on International Religious Freedom. I wish to thank the Subcommittee for inviting a representative of the Commission to testify before you today on the Annual Report on International Religious Freedom. I ask that my complete written statement be made part of the hearing record.

I also want to thank the Committee for holding this hearing, because it is through holding hearings like this - two of my fellow Commissioners and I appeared this morning before the Senate Foreign Relations Committee - that the issue of international religious freedom can become an integral part of this nation's foreign policy agenda. And that, after all, is one of the

guiding purposes and principles behind the International Religious Freedom Act, the statutory basis for the State Department's Annual International Religious Freedom Report.

### Importance of the Annual International Religious Freedom Report

The Annual International Religious Freedom Report is important to keep religious freedom high on the foreign policy agenda and an important tool to promote religious freedom abroad. It brings to light the facts on the ground, and -- perhaps just as significant -- it describes what the U.S. government is doing to promote religious freedom around the world. The International Religious Freedom Report is not only a report to the world, but also a report to the Members of Congress. The Commission urges Congress to take special note of what the Report says about U.S. policy towards violators of religious freedom and activities designed to promote the protection of religious freedom. In the International Religious Freedom Act, Congress stated that it was the policy of the United States to oppose violations of religious freedom engaged in or tolerated by governments of foreign countries and to promote religious freedom, through, among other things, specific mandated actions targeting violators. In other words, the law requires that U.S. foreign policy take into account the nature and severity of religious freedom violations, and be adjusted accordingly. This report is the yardstick with which to measure our progress in meeting the goals of the statute.

I would like to take a moment to speak about Ambassador Seiple. The Commission commends the hard work that Ambassador Seiple and his staff have put into only into the Annual International Religious Freedom Reports, but also their substantial efforts throughout the year to keep religious freedom on the foreign policy agenda. Ambassador Seiple has also made a significant contribution to the work of the Commission, on which he has sat as an ex-officio nonvoting member, and we value him as a colleague. The Commission regrets his departure. The Ambassador-at-Large for International Religious Freedom is a very important part of U.S. policy initiatives to promote religious freedom abroad the State Department 2000 Annual Report calls his office "the fulcrum of the effort to promote religious freedom." A prolonged vacancy in this crucial position threatens U.S. progress in promoting religious freedom. The Commission will strongly urge the next president to move quickly to fill the vacancy with a person as knowledgeable and distinguished as Ambassador Seiple. It will also urge the new Congress to impress upon the new president the importance of doing so.

### Reporting on the Facts and Circumstances of Religious Freedom

A few words on the Annual Report's reporting of the facts and circumstances of religious freedom.

Although we have not had the time to review Tuesday's thousand-page report in its entirety, it is apparent that the Department has done a highly commendable job of telling the tragic story of religious freedom around the globe. As the Commission noted in its own first annual report released in May, as important as the report itself is the impact that its preparation has had on the State Department and our embassies. This year's report generally shows more complete understanding of religious freedom issues and extensive fact-finding and verification. It reflects hard work on the ground.

In other respects as well this year's report is an improvement over last year, and I note with pleasure that some of the recommendations that the Commission made in its annual report appear to have been adopted by the Department. Each country report now has an introduction generally identifying the most significant religious-freedom problems in that country. There is a separate sub-section detailing relevant law. Our review of the Department's instruction cable

sent to the embassies earlier this year also shows that the Department incorporated many of the Commission's suggestions in what information it solicited from embassy officials.

However, problems remain. In some of the reports, the main thrust of what is happening and why is lost in detail and through omissions of important context.

For example, the Report focuses, in its dozen or so pages relating to Sudan, mainly on the policies and practices of the Sudanese government with respect to religious freedom per se, giving only a page to atrocities being committed as part of the civil war, including for example, aerial bombing of hospitals and schools, abduction of women and children, and the burning and looting of villages. There are, moreover, significant gaps. For example, the Report fails to describe the pivotal role that oil extraction is having -- especially in enhancing the ability of the government of Sudan to continue in its criminal behavior. Similarly, it does not focus on the delivery of humanitarian aid -- for instance, the long-standing refusal of the Sudanese government to allow humanitarian aid to reach some regions. In short, the Report fails to give the behavior of the government of Sudan the attention it deserves.

Another notable problem is that this year's report includes a section in the executive summary entitled "Improvements in International Religious Freedom," which are also reported in the individual country chapters. The Commission believes that the reporting of such "improvements" must be carefully handled in order to avoid misrepresentation of the conditions of religious freedom. Labeling what are really positive developments -- and such positive developments deserve to be noted -- as "improvements" confounds positive steps with real and fundamental progress in eliminating religious persecution. The mention of such positive steps in the executive summary can overshadow an overall negative situation. The executive summary should be the place to report on fundamental, lasting change in the protection of religious freedom, as may be the case in Azerbaijan, but not particular events that may be positive. Severe persecutors can make a positive gesture without improving the overall conditions of religious freedom. On occasion they do it to deflect criticism and mislead foreign observers.

In the case of Sudan, for instance, the positive developments highlighted in the executive summary are changes of a shallow nature, and not the type of developments that would signal a change in the regime under which religious believers suffer horribly. Another example is Laos, where the release of religious prisoners -- a welcome event -- is characterized in the executive summary as "significant improvement." But the Laos section noted that "the government's already poor record for religious freedom deteriorated in some aspects." These contradictory messages are found in the report's discussion of Vietnam as well.

#### Countries of Particular Concern

The Commission is pleased that the State Department has listed for a second year Burma, China, Iran, Iraq, and Sudan as 'countries of particular concern,' (CPCs) as well as the Taliban regime in Afghanistan and the government of Serbia -- which, while not recognized states, also remain 'particularly severe violators of religious freedom.' This year's Annual Report affirms that the conditions in those countries have not changed sufficiently so as to warrant a change in designation.

The Commission is very disappointed, however, that the Secretary has not named Laos, North

Korea, Saudi Arabia, and Turkmenistan as CPCs. On July 28, 2000 the Commission wrote to the Secretary concluding that the governments of each of these four countries have engaged in particularly severe violations of religious freedom and thus meet the statutory threshold for designation as CPCs.<sup>1</sup> I have attached this letter to my written statement for inclusion in the hearing record. The Commission's conclusion was based on the information that was available to us at that time. The information contained in the 2000 Annual Report only affirms that these countries should be designated as CPCs.

- In Laos, during the last 12 months, increasing numbers of Protestants, Baha'is and Catholics have been subjected to detention, arrest and harassment, and over 50 persons have been reportedly imprisoned for the peaceful practice of their faith.

- In North Korea, notwithstanding the difficulty of obtaining reliable information on conditions in the country, it is apparent that religious freedom is non-existent. As this year's report states: "Genuine religious freedom does not exist." The government has imprisoned religious believers and apparently suppresses all organized religious activity except that which serves the interests of the state. Not identifying this repressive government as a CPC effectively rewards it for suffocating free speech, press and travel so thoroughly that information on religious persecution is limited.

- In Saudi Arabia, the government brazenly denies religious freedom and vigorously enforces its prohibition against all forms of public religious expression other than that of Wahhabi Muslims. Numerous Christians and Shi'a Muslims continue to be detained, imprisoned and deported. As both the Department's 1999 and 2000 Annual Reports bluntly summarize: "Freedom of religion does not exist." How then can Saudi Arabia not be deemed a country of particular concern?

- In Turkmenistan, where the ruling regime is reminiscent of Stalin's, only the official Soviet-era Sunni Muslim Board and the Russian Orthodox Church are recognized by the state as legal religious communities. Members of unregistered communities -- including Baha'is, Christians, Hare Krishnas, and independent Muslims -- have been reportedly detained, imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. This year's report notes a decline in the Turkmenistan government's overall respect for religious freedom, and notes "severe restrictions" on minority religious groups.

In addition to the four countries that the Commission recommended be named as CPCs, the Commission advised the Secretary of State that another four governments are close to earning the CPC label. India<sup>2</sup>, Pakistan, Uzbekistan, and Vietnam are among those countries that have attracted the Commission's particular scrutiny, and they deserve the Department's as well. Its own report bears this out.

#### Reporting on U.S. Actions to Promote Religious Freedom

The label of CPC is important; it brings into the spotlight the egregious violators. But the act of labeling is only one aspect of the statute. IRFA requires policy responses and, again, the International Religious Freedom Report is a report on U.S. actions to promote religious freedom

and not only a report on facts and circumstances.

I would like to focus for a moment on actions taken in response to CPC designation, and then speak more broadly to U.S. policy initiatives in certain countries that are of concern to the Commission.

#### U.S. Actions in Response to CPC Designation

Nowhere in the report did the State Department mention the sanctions it may have imposed as a result of a country's designation as a "country of particular concern." This is consistent with State's previous practice: it has, to our knowledge, done nothing to publicize the sanctions imposed under IRFA and at times appears to go out of its way to avoid mentioning them.

In the cases of Sudan and China, the sanctions the Department of State identified are inadequate and ineffective. Regarding Sudan, the Department stated last October that "in order to satisfy the sanction requirements of the IRFA, the Secretary of State also uses the voice and vote of the United States to oppose any loan or other use of funds of international financial institutions to or for Sudan pursuant to the International Financial Institutions Act." More-effective actions that the Commission has recommend include closing U.S. capital markets to companies that participate in the Sudanese oil fields (the revenue from which helps to fund the Sudanese government's war effort) and taking steps to end Sudan's ability to control foreign food aid and use it as a weapon of war. Regarding China, the Department stated that the Secretary of State "restricts exports of crime control and detection instruments and equipment." It is difficult to believe that this sanction sends a strong message to Beijing on religious freedom.

I would also note that under IRFA, the President must take action (or issue a waiver of the requirement to take such action) with regard to all countries the government of which engages in or tolerates violations of religious freedom, and not only CPCs. These actions do not appear to be so recorded in the Annual Report.

#### U.S. Actions Taken to Promote Religious Freedom

In general, the report shows that U.S. embassy personnel in a number of countries have been working to raise the issue of religious freedom with their foreign counterparts. Embassy personnel have also made inquiries and sought to monitor the legal proceedings of some religious detainees. Ambassador Seiple and his staff have traveled widely to reinforce the message of the importance of religious freedom to the United States.

The Commission applauds these actions. However, progress in the promotion of religious freedom also requires that steps be taken at the highest levels of interaction between the U.S. and foreign governments. Religious prisoners and persecution must be prominently raised in virtually every meeting between American diplomats and violator governments.

As a parenthetical point, I would like to note that in the executive summary of this year's report, actions taken by the Commission itself are listed in the section on what the U.S. government has done with respect to a number of countries. This practice should not be continued. The

Commission is not empowered by Congress to implement U.S. foreign policy, but to make policy recommendations. Congress has required the Commission to report on its activities separately from the State Department. Including Commission actions in the Annual Report may blur the distinction between it and the State Department - - in the minds of the American public, NGOs, victim communities and foreign governments.

The report shows a number of countries where a deterioration in the conditions of religious freedom have not resulted in an adjustment in U.S. policy toward those countries.

- In the case of China, the report bluntly states, and rightly so, that the Chinese government's attitude toward religious freedom has deteriorated and persecution of several religious minorities has increased. The report reflects this situation in almost excruciating detail. Arrests of Falun Gong and Zhong Gong practitioners and Christians worshiping in unregistered groups have accelerated dramatically since June of last year. At least eight Uigher Muslims from the Xinjiang Autonomous Region were executed in June and July on charges of "splitting the country." The receptivity of the Chinese government to U.S. concerns about religious freedom in China also appears to have deteriorated. The Chinese government has refused to reinstate official bilateral dialogue on human rights and religious freedom. Government officials have refused to meet with U.S. embassy officials who intended to raise religious freedom issues with them. The Department's Special Coordinator for Tibet and a member of her staff were denied visas for travel to Tibet. It is distressing that the Administration and a majority of the House of Representatives is willing to overlook all of this in pursuing its campaign for Permanent Normal Trade Relations status for China.

- Turkmenistan is another example of where the State Department concludes that conditions of religious freedom have worsened, and yet the reported U.S. actions do not appear to reflect any change in U.S. policy. A promise by President Niyazov to the State Department to allow minority religious groups to register, thus legalizing their activities, has yet to be realized.

- A third example is France, where the report describes in detail some disturbing recent events that threaten the protection of religious freedom of minority religious groups in that country. In particular, the National Assembly in June of this year passed a bill targeting so-called "sects" for dissolution and establishing a new crime of "mental manipulation." It is now pending in France's Senate. However, a comparison of this year's report on what the U.S. has done, in comparison to last year's report on what the U.S. did, shows that despite worsening conditions, the U.S. appears to have done less. This deserves an explanation.

The report also illustrates a number of instances where U.S. policy does not appear to be in line with the gravity of religious freedom problems in a particular country.

- The Report on Sudan does not display any coherent, concentrated plan on the part of the U.S. government for dealing with the atrocities being committed there. When the Commission studied that situation over the past year, we were struck by the huge disparity between the scale of atrocities being committed by the government of Sudan and the response of the President and the Secretary of State. Yes, event-by-event, the Administration has expressed outrage and disapproval. But we have not seen evidence of the sort of concentrated and coherent policy that would have any hope of success. Consequently, in May of this year, as a key part of our recommendations on Sudan, we laid out a specific 12-month plan of action for the President urging particularly that he personally launch "a vigorous campaign to inform the world of

Sudan's war crimes, crimes against humanity, and genocidal activities." In addition, the Commission has raised with the State Department and the National Security Advisor the issues of delivery of humanitarian aid in the face of continued interference by the Sudanese government and oil extraction enhancing the ability of the Sudanese government to prosecute the civil war. The Commission has asked Mr. Berger to investigate reports that the Commission received from credible sources - - Anglican and Catholic bishops in Sudan - - that UN-provided humanitarian aid for Sudan, including U.S. aid, is being manipulated to force religious conversions among the country's displaced and needy religious minorities. I have attached a copy of the Commission's August 14, 2000 letter to the National Security Advisor to my written statement for inclusion in the hearing record.

- With regard to North Korea, the report notes that the U.S. does not have diplomatic relations with that country. Nevertheless, the U.S. does have a policy with respect to North Korea, and one that has undergone significant change in the last year, including the announcement of the lifting of certain sanctions against the country. We are not taking a position on the wisdom of those actions. However, it is apparent from the report that human rights and religious freedom have not played a role in the development of policy with respect to one of the world's worst religious freedom violators.

- With respect to Iran, again a country with which the U.S. has no diplomatic relations and where there have been significant developments in U.S. policy during the last year, it is reported that U.S. officials have raised religious freedom issues and problems facing religious minorities in international forums and in public statements at the highest levels. However, the United States can and should make clear to Iran that respect for human rights and religious freedom is among the necessary elements for improved ties between our two countries.

## Conclusion

The 2000 Annual Report states a sobering fact: "Much of the world's population lives in countries in which the right to religious freedom is restricted or prohibited." As the richest and most powerful nation on earth, the United States can do significantly more to vindicate this right abroad. As the freest nation on earth, it must do more.

On behalf of the U.S. Commission on International Religious Freedom, thank you again, Mr. Chairman, for the invitation to present the Commission's perspective.